



TOWN OF KNIGHTDALE

Land Use Review Board

7:00 pm

Monday, October 12, 2015
950 Steeple Square Court, Council Chambers
Knightdale, NC 27545

Minutes

I. CALL TO ORDER

Chairman Pete Mangum **called** the meeting to order at 7:00 pm.

II. ROLL CALL

The following members were present:

LURB Members Present: Pete Mangum, George Hess, Chuck Piratzky, Richy Narron, Rita Blackmon, Richard Godwin, Alice Alexander, Stephen Morgan

LURB Members Absent: Michael Blake

Town Council Members Present: None

Staff Members Present: Jason Brown, Matt Christian, Jennifer Currin, Donna Tierney

Attorneys Present: Town Attorney Clyde Holt, LURB Attorney John Silverstein

III. ADOPTION OF THE AGENDA

...Mr. Hess moved to adopt the agenda for the October 12, 2015 meeting. Ms. Blackmon seconded the motion. The motion passed unanimously.

IV. APPROVAL OF MINUTES

...Mr. Godwin moved to approve the minutes from the September 14, 2015 meeting. Ms. Blackmon seconded the motion. The motion passed unanimously.

...Mr. Silverstein noted two typographical errors on the September 14, 2015 Board of Adjustment minutes. Ms. Blackmon moved to approve the minutes noting the correction. Mr. Godwin seconded the motion. The motion passed unanimously.

V. PUBLIC HEARINGS FOR QUASI-JUDICIAL CASES

...The Board entered the Board of Adjustment session at 7:04 p.m.
(See Minutes of the October 12, 2015 Quasi-Judicial Session)

VI. ORDERS FOR QUASI-JUDICIAL CASES

VII. RECESS

VIII. COMMUNITY APPEARANCE CASES

IX. TREE PROTECTION AND PLANTING CASES

A. FY16 Street Tree Planting Project

Planner/Code Enforcement Officer Matt Christian presented Board members with an update regarding the three proposals the Board had previously recommended. Upon researching the proposals, Staff found conflicts with each of them but came up with an alternate. The alternate planting is proposed along Lynnwood Road near I-540, which is optimal because of the high visibility of the Mingo Creek Greenway and Staff has confirmed there are no utility conflicts. Existing vegetation located at the greenway trailhead will be repaired and replaced where necessary. Mr. Christian explained he has been in contact with NCDOT, and the Town is allowed to operate in the same scope of the previously agreed upon plan.

Mr. Narron asked about the hydrant shown in a picture and the presence of a waterline. Mr. Christian explained utility locates have been called in.

Mr. Morgan inquired if sidewalks could be included all the way to the Planter's Walk clubhouse. Mr. Christian said sidewalks will be considered when making plans.

Ms. Alexander questioned if Planter's Walk would be responsible for the maintenance. Mr. Christian shared that Planter's Walk currently maintains the area. There has been no talk of future maintenance yet but the Town fully intends to communicate with Planter's Walk before moving forward with the plan.

Mr. Morgan inquired if there will be trees along the greenway. Mr. Christian clarified that trees along the greenway were intentionally left out due to storm water mitigation requirements.

...Mr. Hess motioned to approve the planting project along Lynnwood Road for the Fiscal Year 2016 Street Tree Planting Project. Mr. Narron seconded the motion. The motion passed unanimously.

X. OLD BUSINESS

XI. NEW BUSINESS

A. ZMA-5-15, Cardinal Charter School

Senior Planner Jennifer Currin provided an introduction to Zoning Map Amendment 5-15. The request is to rezone a 12.93± acre parcel owned by Dogwood Owner, LLC from Neighborhood Mixed Use (NMX) to Neighborhood Mixed Use Conditional District (NMX CD) in order to develop the property as a 67,946 square foot, 2-story charter school that will serve approximately 1,145 students K-8. The parcel is located south of the Poplar Creek Village subdivision and east of Asa Food Mart and is identified by Wake County pin 1743.04- 60-9066. The Unified Development Ordinance (UDO) requires a Conditional District rezoning approval for an elementary or secondary school in the NMX zoning district.

The applicant and developer, Ryan Companies US, Inc. has requested the following exceptions to the UDO: site the building approximately 140 feet from the proposed Right of Way, locate parking in the front yard and in front of the building's primary façade, exceed the permitted circulation drive width, provide parking below the minimum required ratio, allow proposed road improvements to count toward Water Allocation Policy bonus points, and not provide a right turn from westbound Poole Rd. to northbound Hodge Rd. A draft traffic impact analysis (TIA) was submitted for review and is currently being discussed with NCDOT to determine if revisions

are necessary. Additionally, the developer proposed to signalize both the Stony Falls Way and Poole Rd. intersection and the inbound site drive and Old Hickory Ln. intersection. They are also proposing a U-turn lane, two left turn lanes into the inbound site, and a right turn lane.

Ms. Currin explained there was a public hearing at the October 5 Town Council meeting. The NC DOT and Town Staff are working with the applicant for a better understanding of what DOT would allow with signalized intersections because they are typically not in such close proximity to each other. She also addressed the Proposed Written Advisory Statement and Development Services Department Recommendation if the Board decides in favor of the proposal.

Chris Bostic, Project Manager at Kimley-Horn and Associates, provided background on the developer, Ryan Companies. They have developed 18 charter schools in the southeast with three in North Carolina. The schools are public and funded with state tax dollars. Children must apply to attend and they are chosen via a lottery system. The school will initially start with K-6 and seventh and eighth grade will be added accordingly.

Mr. Bostic further explained the main building is 2 stories and fronts Poole Rd. They will provide a play area and open recreational field in the rear. He stated they are proposing to provide 150 parking spaces. Most other schools have roughly 150 spaces, which is more than enough to accommodate staff and parents during special events.

There will not be bus transportation for the school. Because of this, they will need adequate space for cars when picking up and dropping off students. Ryan Companies is coordinating with NC DOT and will need 4,000 linear feet of stacking room to accommodate the expected number of cars.

Mr. Hess inquired if they will stack cars in all four proposed lanes at the same time. Mr. Bostic confirmed and stated they are able to release 20 cars at a time.

Mr. Bostic explained they are aiding pedestrian connectivity by providing new sidewalk along the frontage which will extend across Asa Food Mart and connect to the sidewalk at Stony Falls Way. They would also like to see a traffic signal across from Old Hickory Lane, as well as provide a crosswalk so students can get across Poole Rd. safely.

Mr. Godwin inquired about the location of the septic tank. Mr. Bostic replied there is a pump station on the corner. The sewer line runs up Stony Falls and they will connect to it.

Mr. Godwin questioned if having a police officer direct traffic each morning could be an alternative option. Mr. Bostic stated this is not the preferred solution.

Mr. Hess asked if the front parking could be minimized to one row instead of two. Mr. Bostic answered that a certain amount of stacking distance is required by DOT. With as many cars are let out at a time, enough space is needed to converge from four lanes into two.

Mike Horn of Kimley-Horn and Associates communicated that a TIA was prepared and DOT is still reviewing the study. He reminded the Board that the school is K-8 so no students will ever be driving to/from school. The morning peak hour is the heaviest with 70% of traffic coming east bound, which requires a dual left turn lane and signal. He commented that Poole Rd. is already

nonstop, and residents of Old Hickory Lane turning left will be helped by the road improvements.

Mr. Horn conveyed how traffic would operate during the school day. Cars would come in one way, go around the back of the school, and then exit from a separate point. DOT is specifically looking at some changes to this proposal. One solution is providing one point of access where the cars exiting the school will be looped back in. They will have to turn right out of school and then make U-turn. This scenario could result in only requesting a single signal, and not placing one at the Stony Falls intersection.

Mr. Hess commented that without a signal at Stony Falls, a U-turn sounds problematic. Mr. Horn replied that the volume from Grasshopper Rd. is large but not in the other direction. He reported that the volume westbound on Poole is 1,000 cars per hour, and eastbound is 387 cars per hour. A signalized U-turn may be adequate but they are still working with DOT.

Mr. Godwin inquired if there will be right and left turn lanes. Mr. Horn replied there will be a single turn onto Old Hickory. They will designate another access point elsewhere. From the analysis, it appears 31 cars will turn left, and 3 cars will turn right.

The concept of super street design was discussed. Mr. Horn explained that their proposal is essentially a modified super street.

Mr. Godwin asked how many people are expected to make a U-turn. Mr. Horn replied 192 vehicles will make a U-turn, and 450 will go straight through. Mr. Morgan commented how the right turn onto Hodge Rd. will need improvements due to lengthy queues of cars.

Mr. Morgan asked if many people coming out of Stony Falls will be going to the school. Mr. Horn believes there will be, but without the signal, making a left turn will be difficult. The most recent proposal from DOT eliminates this signal, since they currently are looking at a single signal scenario.

Ms. Currin spoke about pedestrian traffic. Under the requirements of the Water Allocation Policy the developer will continue sidewalk infrastructure in front of the school with a goal of encouraging walking from the adjacent neighborhood and reducing vehicle traffic.

Ms. Blackmon inquired about the volume of cars per number of students. Mr. Horn replied there will be 745 vehicles in the morning.

Mr. Godwin asked how many cars would be in the dual lanes on Poole Rd. Mr. Horn said 350 cars would fit in 700 feet of space.

Ms. Blackmon asked about the expected time frame to receive an agreement from DOT. Mr. Bostic replied multiple groups at DOT are reviewing the plans and a specific timeline has not been provided.

Mr. Piratzky sought information regarding the alternative DOT proposal of one access point and if drive access in front of the school would require the school to be pushed back from the road. Mr. Horn stated the building will not need to be moved back but the aisle will need to be expanded. Front parking spaces would be designated for teachers only because they do not

want parents backing in and out during the morning drop off. Furthermore, Mr. Horn explained Ryan Companies is very safety conscience. Their goal is the safe and efficient loading and unloading of students.

Mr. Hess inquired as to their open date goal. Mr. Bostic replied Ryan Companies has an aggressive goal to open for the 2016-17 school year.

Mr. Morgan sought the status of the environmental permit. Ms. Bostic responded they have already submitted for the environmental permits and anticipate having them in mid-November.

Mr. Morgan inquired if their proposal sets up for a four lane divided highway. Mr. Bostic answered that they are required to provide half of it.

Mr. Piratzky commented that there is a significant difference between what the Town requires and the proposed numbers for parking. Mr. Bostic replied there is a simple formula to determine the number for staff and they will provide more than what's required for staff on a daily basis. Mr. Bostic explained the charter school in Cary has 135 spots and each day there are excess.

Ms. Darryl Hughes, who lives on Grasshopper Rd., spoke in opposition to the proposed charter school. She feels it will have a negative traffic impact on the area. While she appreciates everyone's effort, Ms. Hughes does not understand the rush to build and urges the Town to put more thought into it.

Ms. Currin spoke about the status of DOT's review. Staff is copied on comments and also met with Mr. Bostic and Mr. Horn to discuss the TIA results. However, it is a DOT roadway and DOT will have an extensive input on the TIA results. The road is currently a service level D, but the new improvements must meet a service level C. It is the Town's interest to also make the roadway work as efficiently as possible.

Mr. Hess requested information on the levels of service. Mr. Horn reported that Stony Falls is a service level D in the morning with 43 seconds and level B in the afternoon at 16.8 seconds. The inbound right of way is a level D in the morning with 46.7 seconds, and a level B in the afternoon with 16.8 seconds. Additionally, Poole Rd. will get the preferential time.

Ms. Alexander inquired as to why this specific property was chosen for the school. Mr. Robinson explained they had identified another site in town but it did not work for various reasons. After receiving feedback from Staff, they understood that south of town is where they wanted a school because a neighborhood activity is needed in this area. Also, the charter school loved the location based on where students will come from.

Mr. Morgan inquired as to specifically who the school will serve. Mr. Robinson explained since it is a public school, children can apply and will be accepted until it is full. Geographically, they anticipate children from within a five mile proximity.

Mr. Morgan commented that traffic is a big issue and all he foresees are more and more cars. Several Board members remarked that they don't see many kids walking to this school.

Ms. Alexander inquired if the school will be a specialized charter school and Mr. Bostic said no. Ms. Alexander then commented that she thinks a location closer to a highway would be better as this particular location is dangerous for children walking to school.

Mr. Horn explained that even in traditional public schools, bus usage is decreasing as more parents are driving their kids to and from school. He believes the old standards are creating problems, but this school follows new standards which will be an improvement. They are trying to avoid cars backing out onto the street like Ms. Alexander had mentioned about a school nearby.

Mr. Morgan remarked that ultimately we are creating traffic. Mr. Horn rebutted that the school is an attractor not a generator of traffic; new homes generate the children and traffic.

Ms. Bostic addressed the concern of parking in front of the school. He explained that taking parking from the front and pulling the building closer to the street will result in creating a new aisle to wrap around on the side. Also, this will require more pavement on site which thwarts being environmentally friendly and limiting the amount of impervious surface.

Mr. Piratzky asked if there was proposed pedestrian access to the west. Ms. Currin answered the company is proposing to construct 5 ft. sidewalk, which will not include curb and gutter.

Mr. Morgan requested that the concept of road improvements be explained and it clarified if the developer will be going above and beyond what is required. Ms. Currin commented that the developed proposed a wet pond for storm water and will provide a missing sidewalk connection. Additionally, not all schools provide gyms, but they are proposing one. That along with providing IPEMA certified playground equipment will provide bonus points for the Water Allocation Policy.

Mr. Piratzky concluded that given the parameters and constraints, he does not know what else would go in this location besides what is being proposed.

... Mr. Godwin motioned to accept Staff's Proposed Written Advisory Statement and to recommend ZMA-5-15 to Town Council. Mr. Piratzky seconded the motion. The motion passed 5:3 with Mr. Hess, Mr. Narron, and Ms. Blackmon opposing the motion.

XII. OTHER BUSINESS

Senior Planner Jennifer Currin announced that the Development Services Department is accepting nominations for the annual Appearance Award Program and encouraged Board members to submit nominations. She explained there is currently one nomination which was rolled over from last year.

Senior Planner Jason Brown introduced Development Services intern Bryn Terry who will be completing an educational internship for the next three months.

XIII. ADJOURNMENT

Having reached the end of the evening's agenda and hearing no further discussion, Mr. Godwin motioned to **adjourn** the meeting at 9:10 p.m. Mr. Hess seconded the motion and the motion passed unanimously.

A handwritten signature in black ink, appearing to read "Pete Mangum", written over a horizontal line.

Chairman of the Land Use Review Board, Pete Mangum

A handwritten signature in black ink, appearing to read "Donna Tierney", written over a horizontal line.

Attest, Clerk to the Land Use Review Board, Donna Tierney